

United States District Court  
Northern District of New York

COURTNEY G.,	:	Case No. 8:21-cv-65 (TJM/DEP)
<i>Plaintiff,</i>	:	
	:	
vs.	:	Hon. Thomas J. McAvoy
	:	U.S. District Judge
	:	
KILOLO KIJAKAZI,	:	
Acting Commissioner of Social Security,	:	
<i>Defendant.</i>	:	Stipulation – Filed Electronically

**Stipulation and Order for Payment of Fees under the Equal Access to Justice Act**

IT IS HEREBY STIPULATED AND AGREED by the undersigned attorneys that Plaintiff be awarded attorney fees and expenses in the amount of nine thousand, six hundred, and fifty dollars (\$9,650.00), to be paid by the Social Security Administration in full satisfaction of any and all claims Plaintiff may have under the Equal Access to Justice Act (“EAJA”), 28 U.S.C. § 2412(d), in relation to this litigation.

Any fees and costs paid belong to Plaintiff, not to his attorney, and can be offset to satisfy pre-existing debt that Plaintiff owes the United States. *See Astrue v. Ratliff*, 560 U.S. 586 (2010). After the Court enters this award, if Defendant can verify that Plaintiff owes no preexisting debt subject to offset, Defendant agrees to make the award payable to Plaintiff’s attorney pursuant to the EAJA assignment signed by Plaintiff and his counsel.

Respectfully Submitted,

Kilolo Kijakazi  
By Her Attorneys,

Courtney G.  
By His Attorney,

Carla B. Freedman  
United States Attorney,

/s/ Lisa G. Smoller  
Lisa G. Smoller

/s/ Mark A. Schneider  
Mark A. Schneider


Special Assistant United States Attorney  
N.D.N.Y. Bar Roll No. 700999  
Office of the General Counsel  
Social Security Administration  
6401 Security Blvd.  
Baltimore, MD 21235  
[lisa.g.smoller@ssa.gov](mailto:lisa.g.smoller@ssa.gov)  
(617) 565-4279

N.D.N.Y. Bar Roll No. 508045  
57 Court Street  
Plattsburgh, NY 12901  
[mark@northcountrylaw.com](mailto:mark@northcountrylaw.com)  
(518) 566-6667

AND, the Court having reviewed the record in this matter;

IT IS on this 26<sup>th</sup> day of October, 2022;

ORDERED that Plaintiff be awarded fees under EAJA in the amount of \$9,650.00 , and that the fees are payable to Plaintiff, but if Plaintiff does not owe a debt subject to offset, payable to Plaintiff's attorney.

  
\_\_\_\_\_  
HON. THOMAS J. McAVOY  
UNITED STATES DISTRICT COURT